

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 2527*

House Bill No. 3002

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 28, Chapter 3, Part 1, is amended by adding the following as a new section:

(a) As used in this section, unless the context otherwise requires:

(1) "Child sexual abuse" means any act or offense resulting from an act set out in Tennessee Code Annotated, Section 37-1-602(a)(2)(C), that occurred when the victim was a minor;

(2) "Discovery" means when the injured person becomes aware or reasonably should have become aware that the injury or illness was caused by child sexual abuse. "Discovery" that the injury or illness was caused by child sexual abuse shall not be deemed to have occurred solely by virtue of the injured person's awareness, knowledge or memory of the acts of abuse;

(3) "Injury or illness" means either a physical injury or illness or a psychological injury or illness. A psychological injury or illness need not be accompanied by physical injury or illness; and

(4) "Minor" means a person less than eighteen (18) years of age.

(b) Notwithstanding the provisions of Tennessee Code Annotated, Section 28-3-104, or any other provision of law to the contrary, a civil action for an injury or illness based on child sexual abuse that occurred when the injured person was a minor, but was not discovered until after such person became an adult, shall be brought within one (1) year from the time the injured person becomes aware or reasonably should have

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2527*

House Bill No. 3002

become aware that the injury or illness was caused by child sexual abuse; provided, however, in any event, the action shall be brought with fifteen (15) years of the date the injured person reaches the age of majority.

(c) A person bringing an action under this section need not establish or prove which act in a series of child sexual abuse incidents caused the injury or illness complained of, but may compute the date of discovery from the date of discovery of the effect of the series of acts.

(d) In an action brought under this section, the knowledge of a parent or guardian may not be imputed to a minor.

(e) An action under this section may be brought against the alleged perpetrator of the child sexual abuse or against the estate of such alleged perpetrator after the alleged perpetrator's death.

(f) If an action under this section is brought more than one (1) year from the date the injured party attains the age of majority, the injured party shall offer substantial admissible and credible evidence corroborating the event or act of abuse by the alleged perpetrator.

SECTION 2. This act shall take effect on becoming a law, the public welfare requiring it, and shall apply to all actions pending on such date as well as all actions commenced on or after such date.